



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

JUL 10 2001

OFFICE OF  
CIVIL RIGHTS

**CERTIFIED MAIL # 7000 1670 0006 0866 9073**  
**RETURN RECEIPT REQUESTED**

**In Reply Refer To:**  
EPA File No: 13R-00-R6

Mr. Gary L. Bledsoe  
Texas State Conference NAACP Branches  
316 West 12<sup>th</sup>, Suite 307  
Austin, Texas 78701

**Re: REJECTION OF ADMINISTRATIVE COMPLAINT**

Dear Mr. Bledsoe:

This letter concerns the September 28, 2000 administrative complaint that you filed with the U. S. Environmental Protection Agency's (EPA) Office of Civil Rights (OCR) on behalf of the Texas State Conference of NAACP Branches. Your complaint asked OCR to investigate Federal entities, environmental groups, and private organizations for alleged violations of Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000d *et seq.* (Title VI), and EPA's regulations implementing Title VI at 40 C.F.R. Part 7. Specifically, your complaint alleges adverse, disparate impacts on minority populations as a result of decisions made about the Longhorn oil pipeline.

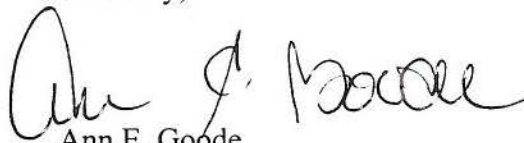
OCR has carefully reviewed your complaint and has determined that it cannot be accepted because the complaint does not identify a recipient of EPA financial assistance. Rather, the complaint alleges discrimination by groups and organizations that have not received EPA financial assistance, as well as Federal entities which are not subject to Title VI.

Under Title VI, a recipient of Federal financial assistance may not discriminate on the basis of race, color, or national origin. Pursuant to EPA's Title VI administrative regulations, OCR conducts a preliminary review of Title VI complaints for acceptance, rejection, or referral. 40 C.F.R. § 7.120(d)(1). A complaint should meet jurisdictional requirements as described in EPA's Title VI regulations. First, it must be in writing. Second, it must describe alleged discriminatory acts that, if proven true, may violate EPA's Title VI regulations. Third, it must be timely filed. Under EPA's Title VI regulations a complaint must be filed within 180 calendar days of the alleged discriminatory act. 40 C.F.R. § 7.120(b)(2). Fourth, because EPA Title VI regulations only apply to recipients of EPA financial assistance, it must identify an EPA recipient that allegedly committed a discriminatory act. 40 C.F.R. § 7.15.

Since Title VI is applicable only to programs and activities of recipients of Federal financial assistance, not to Federal agencies, OCR cannot investigate your complaint against any of the Federal agencies or entities listed in your complaint. Additionally, based on the information available to EPA, OCR has determined that none of the environmental groups and private organizations listed in your complaint received any financial assistance from the EPA. Therefore, OCR has no jurisdiction to investigate any of the Federal agencies, environmental groups, and private organizations listed in your complaint. However, since your complaint also alleges violations with Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, regarding the permitted new use of the pipeline, OCR is forwarding this allegation to the EPA's Office of Environmental Justice for their review and consideration.

If you have any questions, please contact Mr. Mirza P. Baig of my staff by phone at (202) 564-7288, by e-mail at [baig.mirza@epamail.epa.gov](mailto:baig.mirza@epamail.epa.gov), or by mail to the U.S. EPA, Office of Civil Rights (MC 1201A), 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20460.

Sincerely,



Ann E. Goode  
Director

cc: Robert J. Huston, Chairman  
Texas Natural Resources Conservation Commission  
P. O. Box 13087  
Austin, Texas 78711

Mr. Edward A. Brigham  
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